

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

No. 6:24-cv-00158

**Antonio Andres Garcia,**  
*Petitioner,*

v.

**Director, TDCJ-CID,**  
*Respondent.*


**ORDER**

This habeas corpus action was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636(b). Doc. 2. On May 2, 2024, the magistrate judge issued a report recommending that the court dismiss the petitioner's case as frivolous without requiring a response. Doc. 3. Petitioner filed written objections. Doc. 5.

The court reviews the objected-to portions of a magistrate judge's report and recommendation de novo. *See* Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1). The basis for the recommended dismissal of this action is that it does not pertain to the petitioner's criminal conviction or sentence but instead challenges this court's rulings in his previous civil-rights lawsuits. Doc. 3 at 1–4. The petitioner's objection maintains that evidence “validates [his] appeal” and accuses the magistrate judge of criminal wrongdoing. Doc. 5 at 1. But he does not identify any specific error in the magistrate judge's report or dispute the finding that the current action has no relation to the lawfulness of his incarceration. The petitioner is not entitled to federal habeas relief in these circumstances.

Having reviewed the magistrate judge's report de novo, and being satisfied that it contains no error, the court overrules petitioner's objections and accepts the report's findings and recommendation. The petitioner's case is dismissed with prejudice. A certificate of appealability is denied.

*So ordered by the court on June 21, 2024.*

  
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J. CAMPBELL BARKER  
United States District Judge